REMARKS

The enclosed is responsive to Examiner's Advisory Office Action mailed on 07/20/2006 and is being filed pursuant to a Request for Continued Examination (RCE) as provided under 37 CFR 1.114. At the time Examiner mailed the final Office Action claims 1-26 were pending. By way of the present response Applicants have: 1) amended claims 1, 12, and 26; 2) added no new claims; and 3) canceled claims 4, 6-11, 18, and 20-25. As such, claims 1-3, 5, 12-17, 19, and 26 are now pending. Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

Claim Rejections – 35 USC §102

Claims 1-11 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kfoury, U.S. Patent No. 6,549,789 B1 (hereinafter "Kfoury"). Claims 12-13 and 16-26 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kfoury.

Applicants respectfully submit that Kfoury does not disclose at least the underlined portions of amended Claim 1 shown below:

1. A data processing apparatus comprising:

a body having a surface defining a first plane, the body comprising a first group of control elements and a second group of control elements for entering data and performing control operations, wherein the first group of control elements comprise a keyboard and wherein the second group of control elements comprise a set of control buttons;

a display having a display area defining a second plane, the display directly coupled to the data processing apparatus at a pivot

point and rotatable around the pivot point from a first position to a second position, wherein the display is viewable in both the first position and the second position and wherein both the first and second groups of control elements are exposed when the display is in the second position, and wherein only the second group of control elements are exposed when the display is in the first position,

wherein the first plane and the second plane are substantially parallel when the display is in the first position, and wherein the first plane and the second plane are not parallel when the display is in the second position,

wherein the display is substantially inverted when in the second position relative to the first position;

a switch configured to trigger when the display is rotated from the second position to the first position and image inversion logic to invert images on the display responsive to the switch triggering;

a first operational mode and a second operational mode associated with the first position and second position, respectively, wherein the first and/or second plurality of control elements perform a first plurality of defined functions when the data processing apparatus is in the first operational mode and perform a second plurality of defined functions when the data processing apparatus is in the second operational mode.

(emphasis added)

The Office Action references Kfoury col. 5 line 46 to col. 7 line 44 as disclosing that "the first and/or second plurality of control elements perform a first plurality of defined functions when the data processing apparatus is in the first operational mode and perform a second plurality of defined functions when the data processing apparatus is in the second operational mode." Although the referenced portion of Kfoury discloses that various operational modes exist and that a reed switch may automatically detect the operational mode of the device based on device position, it does not disclose that functionality of control elements changes based on the operational mode. In

fact, Kfoury teaches away from this principle and asserts that multiple function control elements are a disadvantage. For example, Kfoury col. 1 lines 37-40 states that an "input device that is difficult to use because data entry buttons must necessarily be assigned multiple functions often lead[s] to confusion and increased complexity of operation."

Moreover, Kfoury states that "[e]ach device mode type however requires a unique user interface that compliments the functionality of the different device mode types" (col. 1 lines 33-35) and that "the preferred embodiment of the present invention incorporates a detachable user interface 1400 as shown in Fig. 14" (col. 7 lines 14-16). Accordingly, Kfoury views mode-dependent multifunction controls as a disadvantage and uses physically swappable user interfaces specifically to avoid mode-dependent multifunction controls claimed by Applicants.

Further, Kfoury Fig. 2 does not disclose a "first group of control elements compris[ing] a keyboard." Kfoury Fig. 2 discloses a numeric keypad but not a keyboard.

The Office Action cites Kfoury col. 6 line 45 to col. 7 line 13 as disclosing "image inversion logic to invert images on the display responsive to the switch triggering." Although the referenced portion of Kfoury describes "reed switches" mounted within the device that function as "position detectors," it makes no reference to image inversion logic that responds to switch triggering as claimed by Applicants.

The Office Action references Kfoury 1202 Fig. 12 as disclosing a second group of control elements. However, viewed in light of Kfoury Fig. 2, the control elements 1202 are more properly characterized as a subset of the user interface 208 and not a separate set of control buttons. This position is further supported by the Kfoury abstract which discloses that "[e]ach user interface (208, 504, 212) can be configured as an input device." Kfoury 1202 is noticeably missing from the itemized list of user interfaces that can be configured as input devices or control elements. Accordingly, as is apparent from Kfoury Fig. 12, the user interface 208 and its associated control elements are always partially exposed regardless of whether the device is in an open, closed, or other position. Because this would not allow that "only the second group of control elements are exposed when the display is in the first position," Applicants submit that Claim 1 is allowable over the cited art.

Claims 2, 3, and 5 depend from claim 1 and include additional features. Accordingly, Applicants respectfully submit that Claims 2, 3, and 5 are allowable over the cited art for all of the reasons stated above with respect to Claim 1.

Amended Claim 12 contains elements similar in scope to claim 1 and is shown below with the elements argued in claim 1 underlined:

12. A data processing apparatus comprising:

a display defining a first plane and having a viewable area for displaying text and graphics;

a body defining a second plane and having a first group of control elements and a second group of control elements for entering data and performing control operations wherein the first group of control elements comprise <u>a keyboard</u> and wherein the second group of control elements comprise a set of control buttons;

a display motion mechanism moveably coupling the display directly to the body and rotating the display from a first position to a second position, wherein the display is viewable in both the first position and the second position and wherein both the first and second groups of control elements are exposed when the display is in the second position, and wherein only the second group of control elements are exposed when the display is in the first position,

wherein the first plane and the second plane are substantially parallel when the display is in the first position, and wherein the first plane and the second plane are not parallel when the display is in the second position,

wherein the display is substantially inverted when in the second position relative to the first position;

a switch configured to trigger when the display is rotated from the second position to the first position and image inversion logic to invert images on the display responsive to the switch triggering;

a first operational mode and a second operational mode associated with the first position and second position, respectively, wherein the first and/or second plurality of control elements perform a first plurality of defined functions when the data processing apparatus is in the first operational mode and perform a second plurality of defined functions when the data processing apparatus is in the second operational mode.

Applicants respectfully submit that claim 12 is allowable over the cited art for at least the same arguments set forth with respect to claim 1.

Claims 13, 16-17 and 19 depend from Claim 12 and include additional features. Accordingly, Applicants respectfully submit that Claims 13, 16-17 and 19 are allowable over the cited art for all of the reasons stated above with respect to Claim 12.

Amended Claim 26 contains substantially the same elements as in Claim 12 and Claim 1 and is shown below with the elements argued in claim 1 underlined:

26. A data processing apparatus comprising:

a display defining a first plane and having a viewable area for displaying text and graphics;

a body defining a second plane and having a first group of control elements and a second group of control elements for entering data and performing control operations wherein the first group of control elements comprise a keyboard and wherein the second group of control elements comprise a set of control buttons;

display motion means moveably coupling the display directly to the body and rotating the display from a first position to a second position, wherein the display is viewable in both the first position and the second position and wherein both the first and second groups of control elements are exposed when the display is in the second position, and wherein only the second group of control elements are exposed when the display is in the first position,

wherein the first plane and the second plane are substantially parallel when the display is in the first position, and wherein the first plane and the second plane are not parallel when the display is in the second position,

wherein the display is substantially inverted when in the second position relative to the first position;

a switch configured to trigger when the display is rotated from the second position to the first position and image inversion logic to invert images on the display responsive to the switch triggering;

a first operational mode and a second operational mode associated with the first position and second position, respectively, wherein the first and/or second plurality of control elements perform a first plurality of defined functions when the data processing apparatus is in the first operational mode and perform a second plurality of defined functions when the data processing apparatus is in the second operational mode.

Applicant respectfully submits that claim 26 is allowable over the cited art for at least the same reasons set forth with respect to claim 1.

Claim Rejections – 35 USC §103

Claims 14 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kfoury in view of England, U.S. Patent No. 6,483,445 B1 (hereinafter "England").

Claims 14 and 15 depend from claim 12 and include additional features. Accordingly, Applicants respectfully submit that Claims 14 and 15 are allowable over the cited art for all the reasons stated above with respect to Claim 12.

CONCLUSION

Applicants respectfully submit that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, Examiner is invited to contact Thomas C. Webster at (408) 720-8300.

Respectfully Submitted,
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